

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	
BIJAN RAFIEKIAN, <i>et al.</i> ,)	Case Number 1:18-cr-457-AJT
)	
Defendants.)	
_____)	

ORDER

On July 3, 2019, the United States filed an under seal Notice of Correction to the Record [Doc. No. 261] (the “Notice of Correction”) stating that the government will not be calling Michael T. Flynn as a witness in its case-in-chief. That same day, upon consideration of the Government’s *Ex Parte* Motion for Temporary Nondisclosure Order [Doc. No. 260] (the “*Ex Parte* Motion”), the Court issued an under seal Nondisclosure Order [Doc. No. 246] (the “Order”) prohibiting the parties from disclosing the existence of the Order or the Notice of Correction until otherwise ordered by the Court. On July 8, 2019, Non-Party Michael T. Flynn filed a Motion to File Under Seal [Doc. No. 265], together with an under seal Memorandum Opposing Coconspirator Designation of Non-Party Witness Michael T. Flynn [Doc. No. 270]. That same day, the Court held a hearing on whether the Order, the Notice of Correction, and the related filings should remain under seal. Upon consideration of the Notice of Correction, the submissions of the parties and Non-Party Michael T. Flynn in response thereto, and the arguments of counsel at the July 8 hearing, and for the reasons stated on the record at that hearing, it is hereby

ORDERED that the Notice of Correction to the Record [Doc. No. 261], Nondisclosure Order [Doc. No. 246], and all related orders and filings and exhibits thereto [Doc. Nos. 249, 256,

262, 269, 270, and 277] be, and the same hereby are, UNSEALED; with the exception of the sealed exhibit to the Government's Response to Defendant's Memorandum Regarding Notice of Correction to the Record [Doc. No. 277-1] and the Government's *Ex Parte* Motion for Temporary Nondisclosure Order [Doc. No. 260], which shall remain under seal until further order of the Court; and it is further

ORDERED that Non-Party Michael T. Flynn's Motion to File Under Seal [Doc. No. 265] be, and the same hereby is, DENIED as moot.

The Clerk is directed to forward copies of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
July 9, 2019